

In *W.L. Gore & Associates v. Garlock, Inc.*, the Federal Circuit stated that “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). “Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, as arranged in the claim.” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 U.S.P.Q. 481, 485 (Fed. cir. 1984). Thus, it is not enough that the prior art reference disclose all the claimed elements in isolation. “There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the filed of the invention.” *Id.*

**Applicants respectfully submit that when consistently compared to the present invention, ZipForm does not anticipate the present invention.**

*ZipForm* describes a way to “automate your real estate transactions with electronic forms.” *ZipForm*, p.5. More specifically, *ZipForm* allows users to “[s]implify your process of filling-in, storing, retrieving, and printing real estate transaction forms.” *Id.*, p. 24. Since the disclosure of *ZipForm* is relatively brief, Applicants have reproduced *ZipForm* pp. 5-8 below for convenience:

**The All New ZipForm 4.0 for Windows Includes:**

- **Dialog Viewing** - This window offers a convenient way to complete a form by tabbing to consecutive fields.
- **Form Grouping** - Allows users to group standard sets of current forms for completing transactions.
- **Form Preview Window** - Users can view each form before opening the file.
- **Date Expiration** - Unlimited use for one (1) year period, or
- **Impression Count** - Preset number of impressions for printing.
- **Data Templates** - Prefilled data templates save time by storing recurring static information of each transaction.
- **Internet Updates** - New Internet connectivity feature gives users the opportunity to access forms revisions and software updates via the Web.
- **Calendar Definition Option** - Users define how date, month, and year fields are formatted. A number of alpha and numeric combinations are available.
- **Report Tool** - Captures data and prints reports using completed transaction data.

**Bring a Whole New Level of Intelligence to Your Forms**

- Transaction Information is entered once and carried across the forms needed to complete a transaction.
- Intellicopy, an instant point-and-click link that copies repetitive information between fields.
- Pop-Up Calendar allows for point-and-click date insertions and date advances for contingencies.
- Independent, Secure User Files allow access to a variety of forms files, but limited access to transaction files.
- Expanded Calculations and Amortization Features automatically carry financial information throughout the entire form.
- Field-Specific Help explains transaction information needed to complete current field.
- Spell Check Correction feature enhances accuracy.
- Jumps provide easy movement between forms.
- Section Menus give you direct access to any section of a form.
- Tab Stops permit easy movement through a form.
- Online Help screens provide instant assistance.

ZipForm provides a complete real estate transaction software system for the full range of Windows operating systems, from Windows 3.1 through Windows 95.

#### **ZipForm for Windows Provides:**

- Multi-level zoom scale from 80-200%
- Effective WYSIWYG viewing and printing
- Access to virtually all printers, including portables
- FAX connectivity
- Protected Association specific forms
- Creation, insertion, and storage of custom clauses
- Prints Association logos and insignias

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Let ZipForm convert your preprinted real estate forms to electronic forms with ... Custom Forms Design Service.

**Applicants respectfully submit that *ZipForm* cannot anticipate the present invention if *ZipForm* is consistently applied to the present invention.**

#### **Claim 1.**

*ZipForm* teaches that “Prefilled data templates save time by storing recurring static information of each transaction”, a “Pop-Up Calendar allows for point-and-click date insertions and date advances for contingencies”, “Transaction Information is entered once and carried across the forms needed to complete a transaction,” and “Intellicopy, an instant point-and-click

link that copies repetitive information between fields.” *ZipForm*, pp. 5-8. Thus, *ZipForm* teaches that a basic “form” exists and data, such as “Transaction Information” can be automatically entered by being carried across forms.

However, Applicants respectfully submit that, in contrast to the present invention, *ZipForm* fails to teach or suggest, for example, “rules [that] include component-to-component relationships and at least one of the component-to-component relationships identifies under what circumstances to include a first component in the document when a second component is included in the document.” Claim 1. Furthermore, in contrast to *ZipForm*, the method of claim 1 recites “obtaining each of the plurality of components to be included in the document as determined by the processing of the rules” and “generating said document to include each of the obtained components.” Thus, in contrast to *ZipForm*, components that have a component-to-component relationship included in the rules to be processed are components that are “obtained” and included in a generated document.

Even assuming that data automatically entered or selected to be included in the existing forms of taught by *ZipForm* are ‘components’, *ZipForm* does not teach or suggest any “component-to-component relationships” that “identify[y] under what circumstances to include a first component in the document when a second component is included in the document.” Claim 1.

#### **Claim 15.**

Similarly, Applicants respectfully submit that, in contrast to the present invention of claim 15, *ZipForm* fails to teach or suggest, for example, “rules [that] include component-to-component relationships and at least one of the component-to-component relationships identifies under what circumstances to include a first component in the document when a second component is included in the document.” Claim 15. Furthermore, in contrast to *ZipForm*, the method of claim 15 recites “obtaining the compensation component, the textual component, and each of the plurality of components to be included in the document as determined by the processing of the rules” and “generating said document to include each of the obtained components.”

### **Claim 35.**

Likewise, Applicants respectfully submit that, in contrast to the present invention of claim 35, *ZipForm* fails to teach or suggest, for example, “rules [that] include component-to-component relationships and at least one of the component-to-component relationships identifies under what circumstances to include a first component in the document when a second component is included in the document.” Claim 35. Furthermore, in contrast to *ZipForm*, the method of claim 35 recites code configured to “obtain each of the plurality of components to be included in the document as determined by the processing of the rules” and “generate said document to include each of the obtained components.”

### **Claim 52.**

Likewise, Applicants respectfully submit that, in contrast to the present invention of claim 52, *ZipForm* fails to teach or suggest, for example, “rules [that] include component-to-component relationships and at least one of the component-to-component relationships identifies under what circumstances to include a first component in the document when a second component is included in the document.” Claim 35. Furthermore, in contrast to *ZipForm*, the method of claim 52 recites code configured to “obtain the compensation component, the textual component, and each of the plurality of components to be included in the document as determined by the processing of the rules” and “generate said document to include each of the obtained components.”

### **Claims 29 and 66.**

Claims 29 and 66 include a “a modeling interface to a user, wherein the modeling interface comprises a computer generated graphical user interface.” The *ZipForm* modeling interface identified by the Examiner, i.e. grouped forms, does not anticipate, teach, or suggest a “computer generated graphical user interface” as required by Claims 29 and 66. Additionally, *ZipForm* does anticipate, teach, or suggest “include[ing] (Claim 29)} respective rules associated with the compensation component and the textual component in a document template, **wherein the rules are executable by a configuration engine, and the rules include component-to-**

component relationships and at least one of the component-to-component relationships identifies under what circumstances to include a first component in the document when a second component is included in the document for controlling how a configuration engine processes the document template to configure a document with one or more of the components" as required by Claims 29 and 66.

Accordingly, for at least the foregoing reasons, Applicants respectfully submit that *ZipForm* does not anticipate Claims 1, 15, 29, 35, 52, or 66.

Applicants respectfully submit that claims directly or indirectly dependent upon independent claims 1, 15, 29, 35, 52, and 66 are allowable for at least the same reasons as the independent claim upon which each dependent claim directly or indirectly depends.

Applicants have added new claims 77 - 108.

Applicants respectfully submit that *ZipForm* fails to, for example, teach or suggest:

- receiving a second selection input, wherein the second selection input indicates selection of a third component to be included in the document;
- in response to receiving the second selection input, processing the rules to determine which, if any, of one or more components of the plurality of components to also include in the document; and
- obtaining the third component and each of the plurality of components to be included in the document as determined by the processing of the rules,

as recited by claim 77:

- receiving additional selection inputs, wherein the additional selection inputs indicate selections of additional components to be included in the document;
- in response to receiving the additional selection inputs, processing the rules to determine which, if any, of one or more components of the plurality of components to also include in the document; and
- obtaining the additional components and each of the plurality of components to be included in the document as determined by the processing of the rules,

as recited by claim 78:

The method of claim 1 wherein at least one of the component-to-component relationships identifies a 'requires choice' component-to-component relationship the method further comprising:

in response to the processing of the rules, requesting a user to select one component, from a group of components identified by the requires choice component-to-component relationship to include in the document.

as recited by claim 79:

The method of claim 1 wherein:

at least one of the component-to-component relationships identifies an 'includes' component-to-component relationship;

receiving a selection input further comprises receiving a selection of a third component; and

obtaining each of the plurality of components to be included in the document as determined by the processing of the rules further comprises obtaining the third component and a fourth component identified in the includes component-to-component relationship.

as recited by claim 80:

The method of claim 1 wherein at least one of the component-to-component relationships identifies an 'optional' component-to-component relationship, the method further comprising:

in response to the processing of the rules, providing a user an option to select one or more components, from a group of components identified by the optional component-to-component relationship;  
and

wherein obtaining each of the plurality of components to be included in the document as determined by the processing of the rules further comprises obtaining each component selected by the user in response to providing the user the option to select the one or more components.

as recited by claim 81:

The method of claim 1 wherein at least one of the component-to-component relationships identifies a 'removes' component-to-component relationship and wherein receiving a selection input further comprises receiving a selection of a third component, the method further comprising:

removing one or more components from inclusion in the document.

as recited by claim 82:

The method of claim 1 wherein the selection input comprises selection of a particular contract type.

as recited by claim 83:

The method of claim 1 wherein the plurality of components and component-to-component relationships are included in a document template.

as recited by claim 84.

The remaining new dependent claims are similar to the foregoing recited claims 77-84.

### CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

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